

# Injury Schemes Seminar

Balancing Outcomes

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Sheraton Mirage Gold Coast



## Lessons from victims of crime

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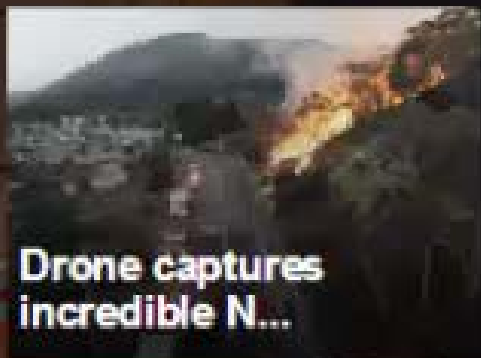
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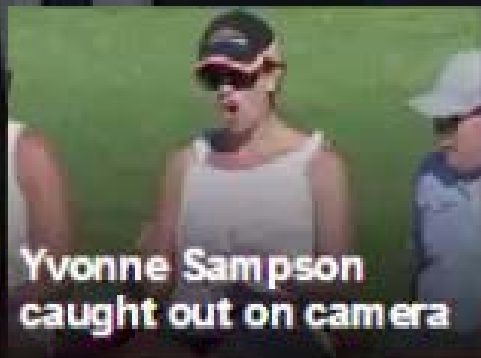
Discover

Discover

STABBING DEATH



Drone captures  
incredible N...



Yvonne Sampson  
caught out on camera



Blue Mountains fire an  
emergency again



Baby Prince Ge  
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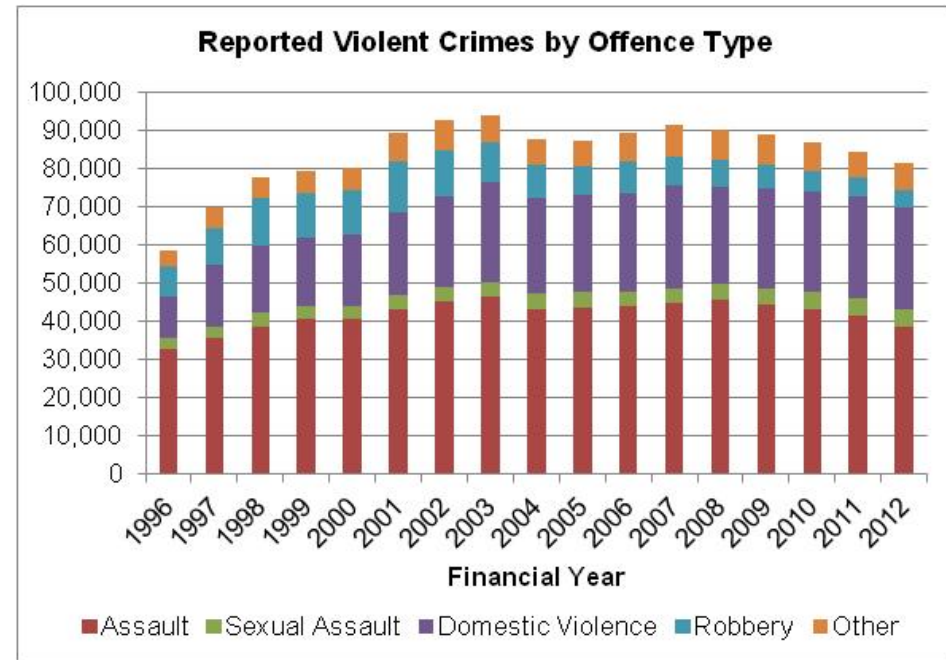
# A 40 minute guide through victims compensation and support

- The profile of victims of violent crimes
- What support is available to victims?
- What barriers undermine victim recovery and rehabilitation?
- How do victims compensation and support schemes compare to personal injury schemes?
- Our personal thoughts on these schemes



# Victims of violent crimes

- Types of violent crimes
  - Assault
  - Sexual assault
  - Domestic violence
  - Robbery
  - Homicide





# Victims support is broad



## *Health and rehabilitation*

Department of Health  
Victim schemes  
Counselling  
Specialty victim health services



## *Financial*

Centrelink  
Victim schemes  
Legal providers  
Medicare



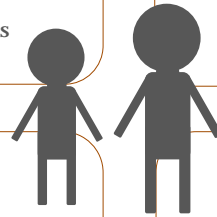
## *Human Services*

Family services      Interpretation  
Community services      Advocacy groups  
Information hotlines      Counselling  
Housing



## *Justice*

Advocacy groups      Legal providers  
Victim services      Information  
Police services      Court companions &  
witness assistance





# Victim Schemes

- In Australia, there is a separate scheme in each state or territory

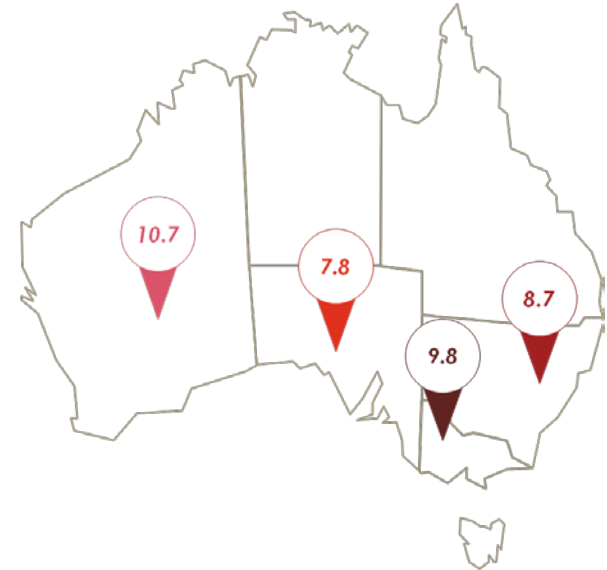
Financial assistance	Lump sum compensation
NSW, VIC, QLD, ACT	WA, SA, TAS, NT
<ul style="list-style-type: none"> <li>Timely care</li> <li>Covers expenses (eg. counselling, medical, loss of earnings)</li> <li>Relatively small lump sum (recognition payment)</li> </ul>	<ul style="list-style-type: none"> <li>Relatively larger lump sum</li> <li>Usually discretionary, but could also be based on table of injuries</li> </ul>

- Only need to establish that violent crime occurred “*on the balance of probabilities*”



# Funding of Support Schemes

- Funding is modest compared to other personal injury schemes
- Average Australian funding is \$9 per capita
- Challenges in finding appropriate sources of funding and may include:
  - State based consolidated treasury revenues (primarily)
  - Restitution from convicted offenders
  - Court fine levies, other fines (for example SA scheme) and proceeds of crime
  - Alcohol taxes (currently not used)





# Barriers

## Claim lodgement

- Time limits and eligibility criteria
- Relationship with the offender
- “At-risk” sub groups
- Victim advocacy groups

## Victim welfare

- Adversarial process
- Delayed delivery of support
- Navigating available services
- Access in regional areas



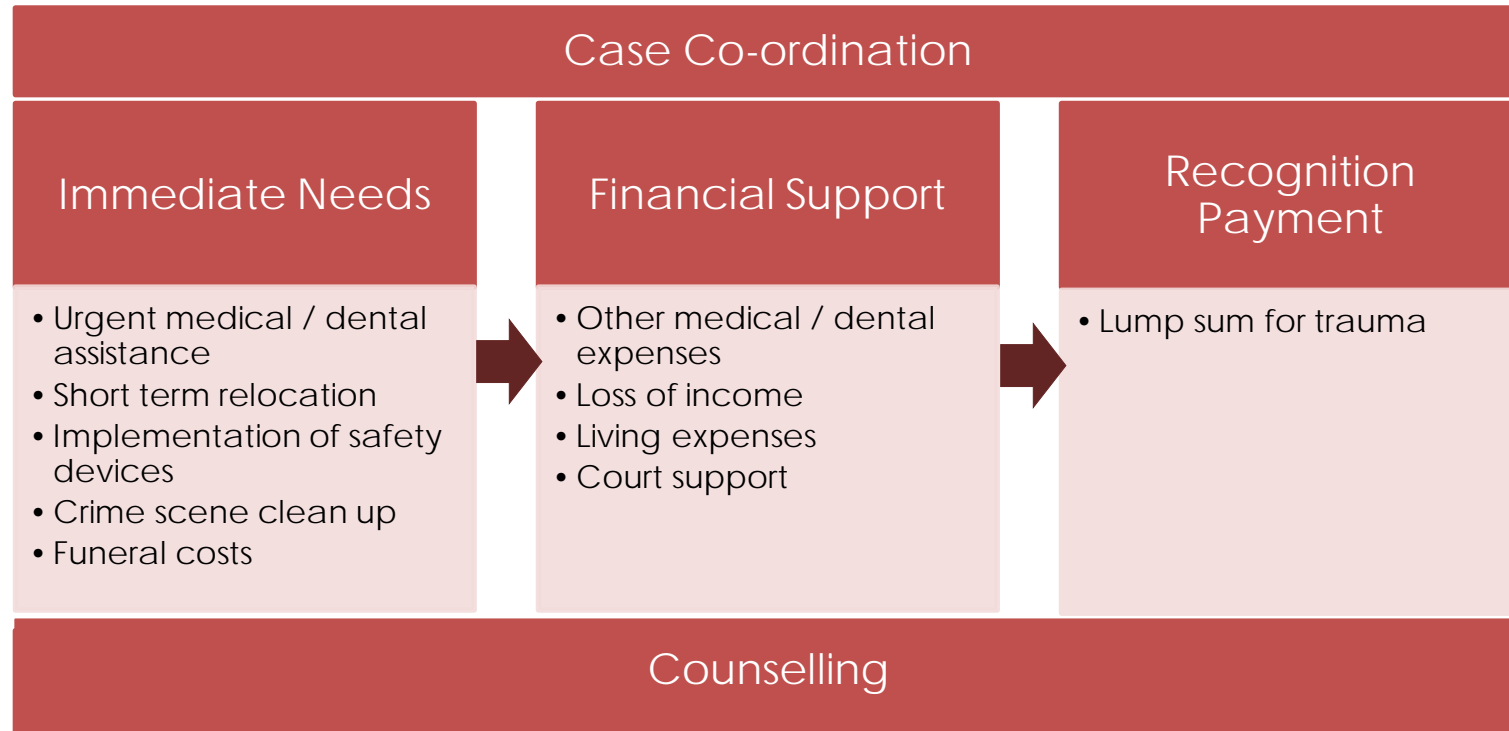


## Comparisons with other personal injury schemes

Items	Other Injury Schemes	Victim Schemes
Trigger of Injury	Accident	Pre-meditated violence
Claimant Demographics	Workers - healthy 18 to 67 Drivers - mainly 18+	<ul style="list-style-type: none"> <li>• Lower socio-economic background</li> <li>• Case co-ordination services</li> <li>• Higher proportion of child claims</li> </ul>
Types of injuries	<ul style="list-style-type: none"> <li>• Predominantly physical injury</li> <li>• Generally single accident</li> </ul>	<ul style="list-style-type: none"> <li>• High psychological injury</li> <li>• Extended nature of act of violence</li> </ul>
Advocacy and Support Groups	Limited but may include: <ul style="list-style-type: none"> <li>• Unions</li> <li>• Industry lobby groups</li> </ul>	Many varied support groups: <ul style="list-style-type: none"> <li>• Types of violent crime</li> <li>• Groups of people</li> </ul>



# Personal thoughts on benefit design (flexible ranges of support)





# Discussion & Questions